

REMARKS

The Final Office Action mailed June 7, 2006, has been received and its contents carefully considered. Reconsideration and withdrawal of the outstanding rejection is respectfully requested in view of the foregoing amendments and the following remarks.

Claims 1-5 were rejected as being unpatentable over either one of Japanese Patent '366 or Mathews et al. '511 in view of any one of Bates et al. '743, Bates et al. '282, Marzocchi et al. '123 or Marzocchi '452, and taken further in view of Gareis. This rejection is respectfully traversed, and reconsideration is requested in view of the following remarks.

It is respectfully submitted that the Office Action itself demonstrates that this rejection is based on hindsight reconstruction, illuminated by Applicant's own specification, and not based on the actual teaching of the references themselves. For example, the Office Action itself notes that Mathews et al. and Japanese '366 *fail to teach opening of braided fibers during a coating operation*. The Office Action also notes that Bates et al. '743, Bates et al. '282, Marzocchi et al. '830 or Marzocchi '123, and Marzocchi et al. '452 *do not feed a braided assembly through a reservoir subsequent to braiding*. The Office Action further notes that in Mathews et al. and Japanese '366, *the fibers of the braid were unimpregnated prior to introduction in to the bath*.

It is respectfully submitted that these three statements make clear that nothing in the references themselves teaches or suggests the combination and modifications being proposed in the rejection. The Office Action has not identified *any portion of any of these groups of references which would teach or suggest to one skilled in the art to combine them with each other or modify them* as proposed.

To the contrary, the Office Action appears to be relying on Applicant's own inventive disclosure when the Office Action states that "one would *have desired* to open the fibers up to ensure the individual fibers were impregnated." While it is agreed that Applicant's invention provides improved impregnation, it is respectfully noted that this statement comes from a conclusion by the Examiner and is not drawn from any of the references themselves.

Even assuming, arguendo, that one would have desired “to ensure that individual fibers were impregnated” it is submitted that the references themselves are *silent* about any *step of “opening of fibers”* to accomplish this purpose.

Apparently recognizing that the combination of references listed above does *not* in fact teach or suggest the invention of claim 1, the Office Action next relies on Gareis. Gareis discloses a series of rollers in order to lengthen the path length within the bath, and the Office Action agrees that Gareis *adjusts rollers for a suitable path length*. Moreover, the Office Action agrees that Gareis *does not expressly state that the gaps between the fibers are opened up*. In this regard, the Examiner appears to be taking the position that such opening would have been inherent in Gareis. Yet, nothing in Gareis teaches or suggests any intentional opening up of the fibers. Gareis does not talk about accomplishing this objective and seems to be addressing the problem of impregnation by lengthening the path, rather than utilizing rollers to manipulate the braids as recited in claim 1.

Here it is also respectfully submitted that Gareis is deficient and that the rejection is based on an attempted hindsight reconstruction, picking and choosing individual components from various references and modifying their operation *without any suggestion in the references themselves* to make such changes to achieve the benefits of the invention recited in claim 1.

Without conceding the propriety of the rejection which is discussed above, new claims 13-17 are added by this amendment. New independent claim 13 combines in general similar features to those recited in claims 1, 2, 3, and 4, and further recites that the bending step is accomplished by a plurality of bending devices.

Claim 14 further recites that the bending members are *adjustable in at least one direction*. Nothing in Gareis is seen to teach or suggest adjusting the positions of the rollers described therein. To the contrary, since Gareis is directed to optimizing a path length, there is no suggestion of adjusting the rollers in order to accomplish suitable bending and impregnation as is accomplished in the invention recited in claim 14.

The other newly added dependent claims also recite features that are patentable in their own right. For example, claim 15 recites that the rollers are *adjustable in more than one direction*. Claim 16 recites an additional step of *releasing air bubbles from the braid to create a vacuum that further helps in entraining of the material by drawing the material in*. Support for some of the features in the newly presented claims can be found at least throughout page 8 of the present specification. No new matter is added.

Finally, it is noted that the claims at issue are method claims. Therefore, even if the Office Action could identify individual components of an apparatus that are being used in the method, the novel *steps* that are recited should still be considered as imparting patentability. For example, *the step of releasing air bubbles in order to cause a vacuum* is neither taught nor suggested by any of the references of record.

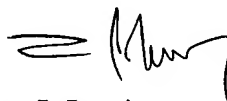
Entry and consideration of this Amendment After Final rejection is respectfully requested. In view of the detailed examination of this application to date, it is believed that consideration of this amendment will not require undue time and effort on the part of the Examiner.

In view of the foregoing, reconsideration and allowance of the application are believed in order, and such action is earnestly solicited. Should the Examiner believe that a telephone conference would be helpful in expediting prosecution of the application; the Examiner is invited to telephone the undersigned at 202-861-1696.

In the event this paper is not timely filed, Applicant petitions for an appropriate extension of time. Please charge any fee deficiencies or credit any overpayments to Deposit Account No. 50-2036 with reference to Attorney Docket No. **79287.21520**.

Respectfully submitted,

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